IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2505 OF 2006

Pandharinath Jagan Phadke. ..Applicant.
Vs.
The State of Maharashtra. ..Respopndent.

Mr.S.R.Chitnis,Sr.Advocate with Mr. S.V.Kotwal,Advocate for the applicant.

Mr.Rajesh More, APP. for the State.

CORAM : R.S. MOHITE,J.
DATED : 10/7/2006.

P.C.

1. This is an application for grant of bail. The applicant is shown as an accused in C.R.No.I-217 of 2006 registered by Panvel City Police Station for the alleged offences under Section 143, 147, 148, 323, 324, 307, 504 read with 149 of the Indian Penal Code and under Section 37(1) read with 135 of the Bombay Police Act.

2. On perusal of the F.I.R., it appears that the present applicant is said to be present on the scene of offence. It is not alleged that he was carrying any weapon or committed any overt act. After the incident was over, he asked the assailants to run away and assured the assailants that he will take care of the situation. The F.I.R. also states that the injured was

assaulted by sword. The medical certificate shows that the injuries were caused by hard and blunt object. It was sought to be argued that there are antecedents against the present applicant and he is shown as an accused in C.R.No.35/2004 for offences under Section 149 read with 323 and 324 of the Indian Penal Code. Taking an over all view of the matter and also taking into account that the F.I.R. narrates that on the earlier occasion applicant had prevented the incident, I am inclined to grant bail to the applicant subject to stringent conditions.

3. It is therefore, directed that pending his trial in pursuance of C.R.No.I-217/2006 registered by Panvel City Police Station, the applicant may be released on bail in the sum of Rs.15,000/- with one surety in the like amount subject to the condition that he should report to the Investigating Officer at Panvel City Police Station once in a week on every Monday till the filing of the charge sheet and thereafter once in a fort night on every first and third Mondays till the disposal of the trial.

4. Application is disposed off.

(R. S. MOHITE, J.)

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